

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:	:	Bankruptcy No. 15-10503 (MFW)
	:	BAP No. 15-60
ALLIED NEVADA GOLD CORP., ET AL.,	:	
	:	
Debtor.	:	
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BRIAN TUTTLE,	:	
	:	
Appellant,	:	
	:	
v.	:	C. A. No. 15-949-SLR
	:	
ALLIED NEVADA GOLD CORP., et al.,	:	
	:	
Appellees.	:	

RECOMMENDATION

At Wilmington this **19th** day of **November, 2015**.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District dated September 11, 2012, a teleconference was held on November 16, 2015 for an initial review and discussion with counsel and the parties to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of the above screening process, the issues involved in this case are not amenable to mediation and mediation at this stage would not be a productive exercise, a worthwhile use of judicial resources nor warrant the expense of the process. Neither side felt that mediation would be fruitful or helpful and would unnecessarily delay the resolution of the appeals. Appellants in the related actions are an

individual holder and an alleged Ad Hoc Committee of certain holders of the equity interests in the Debtors that were cancelled on the Effective Date under the terms of the Debtors' Amended Joint Chapter 11 Plan of Reorganization. Appellants appeal the Bankruptcy Court order confirming the Plan.

THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter along with the companion matter 15-946-SLR be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. The parties have advised there will be no objections filed to this Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), FED. R. CIV. P. 72(a) and D. DEL. LR 72.1.

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thyng
UNITED STATES MAGISTRATE JUDGE